IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 2243 of 2006

DATED: 13-07-2006

Between:

Bonda Prakash Rao and 6 others — Petitioners

And

Government of A.P.
Rep by its Principal Secretary,
Transport Department,
Secretariat, Hyderabad and 2 others — Respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 2243 of 2006

ORAL ORDER:

This writ petition is filed seeking a direction to respondents to take steps to implement the benefits under Notification No.PD-14/2003 dated 8.10.2003 pursuant to the amended Regulation 6-A (5) of Service Regulations dated 28.7.2003 or in alternative direct the respondents to implement the benefits given under the Persons with Disabilities (Equal Opportunities, Protections of Rights and Full Participation) Act, 1995.

When the matter is taken up, learned counsel for petitioner submitted that the issue raised in the present writ petition is squarely covered by orders of this Court in W.P. No. 24744 & 25185 of 2004 dated 18.2.2005. Learned Government Pleader for Transport appearing for first respondent and learned Standing Counsel for A.P.S.R.T.C., admitted the same and agreed for disposal of the writ petition in terms of the orders of this Court dated 18.2.2005 in W. P. No. 24744 & 25185 of 2004.

This Court by order dated 18.2.2005 allowed W.P. Nos. 24744 & 25185 of 2004. The operative portion of the said order reads as under:

> "Therefore, the petitioners are entitled to the benefits of the said Amended Regulation. However, certain instructions have been issued vide proceedings dated 01.11.2003 informing that the notification dated 01.10.2003 has been suspended

pending sanction of the Government and directed the authorities not to implement the said Amendment until further instructions. But the petitioners retired from service before 10.11.2003. Therefore, the said circular has no application insofar as entitlement of the petitioners' medical benefits are concerned. Since the Board has passed a resolution to give effect to the Amended regulations with immediate effect, the respondents corporation is bound to the resolution passed by the Board.

Hence, both the writ petitions are allowed, directing the respondents to take further steps to implement the benefits given under the notification dated 8.10.2003, within a period of three months from the date of receipt of a copy of this order. No costs."

In view of the agreed stand taken by the counsel appearing for both parties and following the orders of this Court dated 18.2.2005 in W.P. No. 24744 & 25185 of 2004, the writ petition is allowed directing the respondents to take further steps to implement the benefits given under the Notification dated 8.10.2003, within a period of three months from the date of receipt of copy of this order. No costs.

_____

N.V.RAMANA,J

DATE: 13.7.2006

TVK

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 2243 of 2006

DATED: 13-07-2006